

AMENDMENT NO. _____

Signature of Sponsor

AMEND

Senate Bill No. 2743*

House Bill No. 2783

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 23, is amended by adding the following as a new section:

Section 49-6-2307.

(a) The state board of education, in consultation and cooperation with the department of education and the department of health, shall promulgate rules to establish minimum nutritional standards for individual food items sold or offered for sale to pupils in grades pre-kindergarten through eight (pre-K-8) through vending machines or other sources, including school nutrition programs.

(b) Such rules shall address, but shall not be limited to, the following:

(1) The establishment of minimum nutritional standards and nutritionally sound portion sizes for individual food items sold or offered for sale to pupils in grades pre-kindergarten through eight (pre-K-8) and standards governing the time, place and circumstances of any such sale or offer to sell; and

(2) A requirement that a non-compliant vendor, individual, or entity shall reimburse a school nutrition program for any penalties assessed against such school nutrition program for any violation of such rules committed by the non-compliant vendor, individual, or entity;

(c) Nothing in this section, or any rule promulgated hereunder, shall be construed to prohibit a school nutrition program from selling or serving federally reimbursable meals to pupils in grades pre-kindergarten through eight (pre-K-8).

(d) Nothing in this section, or any rule promulgated hereunder, shall be construed to prevent a local education agency or a school from utilizing a "request for proposals" for any proposed contract for vending machines or vending services.

SECTION 2. The state board of education shall promulgate rules within a time frame sufficient to implement the provisions of this act for the 2005-2006 school year.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.